

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DR. WILLIAM M. POLLACK,)	
on behalf of plaintiff and)	
the class members defined herein,)	
)	13 C 7653
Plaintiff,)	
)	Magistrate Judge Michael T. Mason
v.)	
)	
INCROWD, INC.,)	
)	
Defendant.)	

**PLAINTIFF’S MEMORANDUM IN SUPPORT
OF FINAL ACCOUNTING OF THE SETTLEMENT**

Plaintiff Dr. William M. Pollack respectfully submits this memorandum in support of final accounting of the class action settlement with defendant InCrowd, Inc. (“Defendant”).

On April 30, 2015, the Court entered an order granting final approval to the parties’ class action settlement agreement.

Jonathan Carameros attests that the Settlement Fund was received by KCC in the amount of \$375,000, pursuant to the parties’ agreement and the Court’s order. (*Dkt. No. 103*) Payments were made from the Settlement Fund representing an incentive award to the plaintiff, Dr. William M. Pollack, in the amount of \$2,500, and an award of attorney’s fees in the amount of \$73,750. In addition, KCC was paid the costs of notice and administrative expenses in the amount of \$79,394.66.

Each member of the Settlement Class who submitted a valid claim was paid for each for each fax transmission corresponding to the fax number on the Fax List. Each settlement share was determined, based on a pro rata distribution of the Settlement Fund, to be worth \$2.99.

Settlement Class members were paid various amounts based on the number of settlement shares or fax transmissions they received. (*Dkt. No. 103*)

Settlement checks were mailed to 10,321 Class Members. There were 44 requests to reissue checks and all checks were promptly reissued. There were 9,543 of 10,321 Settlement Class Members who cashed their settlement checks. Thus, the total distribution to the Class is \$206,729.37. (*Dkt. No. 103*)

Following expiration of the void date on the settlement checks \$12,625.97 remains in the Settlement Fund as a result of uncashed checks (\$11,979.10) and undistributed funds (\$646.87). (*Dkt. No. 103*). On October 19, 2015, a check in the amount of \$12,625.97 was sent to the *cy pres* recipient, the Electronic Privacy Information Center.

Plaintiff submits that to date the Settlement Fund was distributed in accordance with the parties' agreement and the Court's orders.

Respectfully submitted,

s/ Heather Kolbus
Heather Kolbus

Daniel A. Edelman
Heather Kolbus
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CERTIFICATE OF SERVICE

I, Heather Kolbus, certify that on November 13, 2015, I caused the foregoing document to be filed via the Court's CM/ECF system, which will cause notification of such filing to be sent to the following:

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